

### **REMARKS/ARGUMENTS**

In response to Official Action dated February 9, 2007, the Applicant offers the following submissions and amendments.

#### **Amendments**

Claim 6 has been amended to correct the typographical error identified by the Examiner.

The amendment to the co-pending applications paragraph on Page 1 is merely to update the application numbers to patent numbers.

Accordingly, the amendments do not add any new matter.

#### **35 U.S.C. §102 - Claims 6 and 4**

Claims 6 and 4 stand rejected for lack of novelty in light of the disclosure in US 6,199,977 in the Komplin et al.

The Applicant respectfully disagrees. Komplin fails to suggest a printer with performance adjustable in response to a cartridge change. Independent claim 6 is restricted to printers that have the following functional capability:

*“the printer performance is adjustable upon replacement of one cartridge from the set of supported cartridges with another cartridge from the set of performance cartridges.”*

The Komplin does not have this ability. The Examiner appears to argue that the user can omit the black cartridge and in response, the printer will adjust its performance by printing composite black from the C,M,Y cartridges. The Applicant can not identify where Komplin discloses this ability. In any case, this ability is not that being defined in claim 6.

The set of cartridges is a series of cartridges “being the only cartridges shaped for reception within the recess of the inkjet printer cradle”. The recess holds a single cartridge only. The printer performance is adjustable by replacing one cartridge from the set, with another cartridge from the set.

In Komplin, the only features that hold a single cartridge are any **one** of the ink cartridge slots 134, 136, 138 or 140. These slots are specifically configured to receive only cartridges of the correct color by virtue of the keying member 50 (see col. 6, lines 42-51). The Komplin printer does not change its performance by replacing one (say) magenta cartridge with another magenta cartridge. Removing a black cartridge from the black cartridge recess so that the printer switches to composite black (if indeed Komplin can do this) is not *“replacement of one cartridge from the set of supported cartridges with another cartridge from the set of supported cartridges”* in order to effect the performance change in the printer.

In light of the above, the Komplin reference does not anticipate claims 6 and 4.

#### **35 U.S.C. §103 - Claims 2, 3 and 5**

Claims 2 and 3 stand rejected as obvious in light of Komplin in view of US 250,738 to Waller et al.

Claim 5 stands rejected as obvious in light of Komplin in view of US 6,390,615 to Carrese et al.

It follows from the above that the combined disclosures of Komplin and Waller or Komplin and Carrese fail to teach all the elements of any claims depending from amended claim 6. Therefore the cited references do not support a §103 rejection of these claims.

**Conclusion**

It is respectfully submitted that the Examiner's rejections have been successfully traversed and the application is now in condition for allowance. Accordingly, favorable reconsideration is courteously solicited.

Very respectfully,

Applicant/s:



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